

REMARKS

The present application was filed on February 6, 2002 with claims 1-19. Claims 1, 12 and 16 were canceled in an amendment dated February 28, 2003. Claims 2-11, 13-15 and 17-19 are pending in the present application. In the outstanding Office Action dated May 15, 2003, the Examiner: (i) rejected claim 9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,787,336 to Hirschfield et al. (hereinafter “Hirschfield”); and (ii) indicated that claims 2-8, 10, 11, 13-15 and 17-19 are allowed.

In this response, Applicants have amended claim 9. Applicants respectfully request reconsideration of the present application in view of the above amendment and the following remarks.

Claim 9, which presently stands rejected under §102(b) as being anticipated by the Hirschfield reference, has been amended to further define the invention as including “a digital signal processor (DSP) configurable for sampling a peak value of the input signal at periodic intervals and for generating the control signal in response thereto.” This feature, which is described in the present specification at least on page 8, line 24 to page 9, line 1, is not disclosed by the prior art of record. Furthermore, in Hirschfield, the controller, which the Examiner analogizes to the DSP recited in the subject claim, is separate and distinct from the signal strength measurement block, which the Examiner analogizes to the envelope detector in the claimed invention. As such, the controller in Hirschfield does not directly measure the input signal. This is distinguishable from claim 9, as amended, which requires that the DSP be configurable for sampling a peak value of the input signal.

For at least the above reasons, Applicants believe that claim 9 is patentable over the cited prior art. Accordingly, favorable reconsideration and allowance of claim 9 are respectfully solicited.

Application Serial No. 10/072,518

In view of the foregoing, Applicants believe that claims 2-11, 13-15 and 17-19 are in condition for allowance, and respectfully request withdrawal of the §102(b) rejection.

Respectfully submitted,



Date: August 13, 2003

Wayne L. Ellenbogen
Attorney for Applicant(s)
Reg. No. 43,602
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7662